

EXHIBIT A

Entered on Docket

April 07, 2008

GLORIA L. FRANKLIN, CLERK
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA



Signed and Filed: April 07, 2008

A handwritten signature in black ink, appearing to read "T. E. Carlson", is written over a horizontal line.

THOMAS E. CARLSON
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

In re)	Case No. 07-30309 TEC
)	
HUGO NERY BONILLA,)	Chapter 7
)	
Debtor.)	
)	
ATR-KIM ENG CAPITAL PARTNERS, INC.,)	Adv. Proc. No. 08-3031 TC
and ATR-KIM ENG FINANCIAL)	
CORPORATION,)	
)	
Plaintiffs,)	
)	
vs.)	
)	
HUGO NERY BONILLA and MONICA)	
ARAENTA,)	
)	
Defendants.)	

ORDER RE ADMINISTRATIVE MOTION TO CONSIDER
WHETHER CASES SHOULD BE RELATED

On March 16, 2007, Hugo Bonilla filed the above-captioned bankruptcy case. On December 10, 2007, pursuant to 28 U.S.C. § 1452(a) and Fed. R. Bankr. Proc. 9027, ATR-Kim Eng Capital Partners, Inc. and ATR-Kim Eng Financial Corp. (collectively, ATR) filed in the United States District Court a notice of removal of the California state-court action *ATR-Kim Eng Financial Corp. and*

ORDER RE PLAINTIFFS' ADMINISTRATIVE MTN.1-

1 *ATR-Kim Eng Capital Partners, Inc. v. Hugo Bonilla and Monica*
2 *Araenta*, San Mateo County Superior Court case no. CIV-460691,
3 assigned District Court case no. CV-07-6239 (SC) (N.D. Cal.) (the
4 Removed Action).

5 On February 6, 2008, ATR filed in bankruptcy adversary
6 proceeding no. 07-3079 an Administrative Motion to Consider Whether
7 Cases Should be Related. On March 11, 2008, Debtor filed an
8 objection to the Administrative Motion.

9 Because the Removed Action was not already pending in the
10 District Court at the time the bankruptcy case was filed, and
11 because the Removed Action is related to the above-captioned
12 bankruptcy case, the notice of removal should have been filed in
13 the bankruptcy court, and not in the District Court. See L.B.R.
14 5011-1(a). Although the notice of removal was filed in the
15 District Court, the Removed Action was still automatically referred
16 to the bankruptcy court. See id. The court enters this order
17 clarifying that the Removed Action was automatically referred to
18 this court (see Fed. R. Bankr. P. 9027(e)), and orders as follows:

19 (1) The Removed Action is assigned adversary proceeding no.
20 08-3031 TC, and shall be assigned to the above-signed as a
21 proceeding related to bankruptcy case no. 07-30309 and to adversary
22 proceeding nos. 07-3079 and 07-3081.

23 (2) On or before April 14, 2008, ATR shall:

24 (a) pay the Clerk's Office the \$250 fee for opening the
25 above-captioned adversary proceeding; and

26 (b) file an adversary proceeding cover sheet.
27
28

ORDER RE PLAINTIFFS' ADMINISTRATIVE MTN-2-

1 (3) The court will enter a separate order setting a status
2 conference in adversary proceeding no. 08-3031 for April 11, 2008
3 at 9:30 a.m.

4 **END OF ORDER**
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ORDER RE PLAINTIFFS' ADMINISTRATIVE MTN.3 -

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